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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/045,071 | 01/15/2002 | Matthew J. Sherman | 2001-0025A | 2943 |
| 23838 | 7590 | 08/30/2005 | EXAMINER | |
| KENYON & KENYON 1500 K STREET NW SUITE 700 WASHINGTON, DC 20005 | | | JAIN, RAJ K | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2664 | |

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/045,071 | SHERMAN, MATTHEW J. | |
| | Examiner | Art Unit | |
| | Raj Jain | 2664 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/15/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6/14/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-16 examined on the merits.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al (US Pat. 4,554,677) in view of Randriananliminana et al (US 5,742,608) hereinafter as Rand.

Regarding claim 1, Smith discloses a communications system with a plurality of remote units (24, 25, ..) and one central station 20 (see Fig. 1). The remote units generate and send messages to the central station based on a specific channel allocation within a group of units such as say fleet A (Fig. 1), all units within one group or fleet use one inbound and one outbound channel (see Fig. 3) and interference is reduced by using two acknowledgements (Fig. 3, reference 85, 102), the second ACK provides for confirming use of the same channel when no information is transmitted thereby reducing contention time (see col 5 line 4 – col 6 line 7). An end of message is generated when a mobile releases the push-to-talk switch and thus end of transmission is generated (see col 6 lines 11-18).

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Smith again discloses a wireless messaging system with multiple controlling devices (Fig. 1, mobile units) and a single central controller 20 that is capable of controlling various groups of units with appropriate channel allocations and reducing contention amongst the users.

Smith fails to disclose resetting the allocation vector at the end of the contention period.

Rand discloses a communications interface between network systems using two or more buses and messages overlapping in time (see col 1 lines 23-39). The two way interface incorporates a flip-flop circuit (see Fig. 5) that generates a reset signal to reset a flip-flop at end of a message (see col 7 line 3-15) thus preventing collision of signals within the interface. The scheme of Flip-Flops presented in Fig. 5 is implemented within a home network, however, one skilled in the art will appreciate that the application may easily be extended to other networks with plurality of interfaces so as to prevent collision of signals by resetting signals within a given flip-flop at the end of a message so as to again prevent collision of signals.

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made incorporate a signaling scheme of Rand within Smith so as to prevent signal collisions by resetting signals on a multiuser network based on an end of message transmitted from one source while another is source is transmitting.

Regarding claim 2, Rand discloses signal suppression again by resetting the flip-flop at the end of message from one sending source so that another source may

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transmit. Again, it would have been obvious to one of ordinary skill in the art at the time the invention was made incorporate a signaling scheme of Rand within Smith so as to prevent signal collisions by resetting signals on a multiuser network based on an end of message transmitted from one source while another is source is transmitting.

Allowable Subject Matter

Claims 3-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145.

The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

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A handwritten signature in black ink, appearing to be 'RJ' followed by a stylized flourish.

RJ

August 23, 2005